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COUNTY OF INYO
ENVIRONMENTAL HEALTH SERVICES
P.O. BOX 427
INDEPENDENCE, CA 93526

June 16, 2011

David Otsubo, Supervisor
Cal Recycle
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

**REQUEST FOR DEADLINE EXTENSION FOR THE COUNTY OF INYO
LOCAL ENFORCEMENT AGENCY COMPLIANCE SCHEDULE OF
SEPTEMBER 30, 2010, BISHOP-SUNLAND SOLID WASTE SITE.**

Dear Mr. Otsubo,

Pursuant to California Code of Regulations, Title 14, Section 18365, the County of Inyo Local Enforcement Agency (LEA) is requesting approval from CalRecycle to extend the compliance date of the Revised Compliance Schedule (issued September 30, 2010) for Bishop-Sunland Solid Waste Site to December 25, 2011.

BACKGROUND

On October 31, 2005, the Inyo County LEA completed a five-year permit review report, as required in Title 27, California Code of Regulations (CCR), Section 21675 (Review of Permits). In this review, the LEA directed Inyo County Integrated Waste to prepare a permit revision package to address footprint modifications, an increase in daily tonnage, and updates to the RDSI.

On March 3, 2009, CalRecycle notified Inyo County Integrated Waste Management of the "Inclusion" of the Bishop-Sunland Solid Waste Site (14-AA-0005) in the Inventory of Facilities Violating State Minimum Standards, for failure to comply with Title 27, CCR, Section 20921 (Gas Monitoring and Control), for methane exceeding 5% at the facility boundary.

On September 30, 2010, the Inyo County LEA issued a Revised Compliance Schedule, extending the deadline for submitting a permit revision package and for ensuring that methane does not exceed 5% at the facility boundary, to March 3, 2011.

Inyo County Integrated Waste Management (IWM) has prepared the permit revision package and submitted it to the landowner for signature.

Inyo County IWM has installed a new network of perimeter gas monitoring wells. Initially, Gas Well -10 (GW-10) exceeded 5% gas at the facility boundary. IWM mitigated this overage with a gas extraction well and pump system. However, GW-1 later exceeded 5%. IWM attempted to mitigate this new overage by connecting the nearest passive gas extraction well to the blower network; although some progress followed, GW-1 still remains out of compliance.

While waiting for the landowner's signature on the permit *revision* application, the date (October 31, 2010) for the next permit *review* passed.

Six Month Extension of the Compliance Deadline

In light of IWM's steady effort towards compliance at Bishop-Sunland, the LEA proposes a six-month extension of the compliance schedule of September 30, 2010, to October 1, 2011 via a Notice and Order. This would allow IWM to install a new gas extraction well near GW-1 and to continue negotiations with the landowner regarding the permit revision/review application signature.

As conditions of approval for a six-month extension, the LEA directed IWM to:

1. Submit a completed Application for Permit Review by October 1, 2011.
2. Control the migration of landfill gas at the facility boundary to less than 5% by October 1, 2011.
3. Unless compliance has been attained by July 1, 2011, to provide a written progress report.

At the request of CalRecycle, this Notice and Order was also targeted to the Los Angeles Department of Water and Power (LADWP), as the property owner. The LADWP contested the NAO, citing Public Resources Code requiring advance notification and allowing attempts to comply prior to the issuance of the NAO. This offices' legal support staff concurred with LADWP and for that reason we entered into negotiations with LADWP to formulate a compliance schedule for all three Inyo County operated landfills that are located on LADWP property and are due for permit reviews this year. The NAO was then rescinded and replaced with the compliance schedule. In the meantime the gas violations were eliminated. Copies of the compliance schedule letter and the notice of rescission of the NAO have been sent to you in electronic format. Please let me know if you require hard copies which include the signature.

It is felt that this new comprehensive compliance schedule should provide cooperation from the property owner for completing the permit review package. Please feel free to call me with any questions at 760-878-0261.

Sincerely,

A handwritten signature in cursive script, reading "Marvin Moskowitz". The signature is written in dark ink and is positioned above the printed name.

Marvin Moskowitz, Director
Inyo County Environmental Health

